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FLOOR DEBATE

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extensively, although we can never say exhaustively, for review by county attorneys, county clerks, law enforcement officials, mental health board members and others. The Health and Human Services Committee advanced LB 710 unanimously with this amendment on Thursday, March 11. The amendment recodifies provisions of the Nebraska Mental Health Commitment Act and outright repeals various sections. The ordering of the sections in the amendment is based primarily on revisions made initially by the Bill Drafters Office in LB 770 in 2001. Most of the amendment is simply existing law that has been put into more logical order, with an attempt to update and clarify wording. It adds a new definition to the act for "mental illness" and "substance dependence." It provides that members of...and alternating members of the mental health board may be removed at the discretion of the presiding judge of the district court judicial district and provides mental health board members and alternate members with the same immunity as judges of the district court. It clarifies provisions in separate sections of the act relating to custody of persons pending hearings before a mental health board. Current law requires counties to contract with appropriate medical facilities, either within or outside the county, for such custodial, and such persons may not be placed in a jail. An amendment requires each county to make arrangements with such facility and to pay costs of emergency protective custody of persons from such county and such facilities. That's on pages 10, 15 and 21. It provides contents of certificates filed by law enforcement officers who initiate emergency protective custody of persons and petitions filed by the county attorneys to initiate hearings before a mental health board. It clarifies the state burden of proof in mental health board proceedings and disposition of cases heard by a mental health board. It requires all mental health inpatient commitments to be made to the Department of Health and Human Services for admission to appropriate inpatient treatment facility. It clarifies provisions relating to refusal of treatment medication, and it provides access to records of a subject of a mental health board petition to agents or employees of the Department of Health and Human Services Regulation and Licensure upon delivery of a subpoena from the department in connection with licensing or licensure investigation by the department and the Nebraska State Patrol or the Department of